

ASSEMBLY BILL

No. 3043

**Introduced by Committee on Public Employees, Retirement and
Social Security (Hernandez (Chair), Mullin, Soto, and Torrico)**

February 25, 2008

An act relating to public employees, declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 3043, as introduced, Committee on Public Employees, Retirement and Social Security. Public employees.

Existing law requires the Department of Personnel Administration to provide to the Joint Legislative Budget Committee any side letter, appendix, or other addendum to a properly ratified memorandum of understanding that requires the expenditure of \$250,000 or more related to salary and benefits and that is not already contained in the original memorandum of understanding or the Budget Act. Existing law requires the Joint Legislative Budget Committee, within 30 days after receiving the side letter, appendix, or other addendum, to determine if the addendum presents substantial additions that are not reasonably within the parameters of the original memorandum of understanding and thereby requires legislative action to ratify the addendum.

This bill would approve addenda to memoranda of understanding entered into by the state employer and State Bargaining Units 2, 4, 16, 17, 19, and 20 that require the expenditure of funds. The bill would provide that those provisions shall not take effect unless the funds are specifically appropriated by the Legislature or already exist within available appropriations, and would allow the reopening of negotiations if the Legislature does not approve or fully fund any addendum.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares that the
2 purpose of this act is to approve addenda to memoranda of
3 understanding entered into by the state employer and State
4 Bargaining Units 2, 4, 16, 17, 19, and 20, that require the
5 expenditure of funds.

6 SEC. 2. The provisions of the addenda to memoranda of
7 understanding entered into by the state employer and State
8 Bargaining Units 2, 4, 16, 17, 19, and 20, that require the
9 expenditure of funds are hereby approved for the purposes of
10 Section 3517.63 of the Government Code.

11 SEC. 3. Addenda to memoranda of understanding entered into
12 by the state employer and the following state bargaining units are
13 hereby approved:

14 (a) Bargaining Unit 2: California Attorneys, Administrative
15 Law Judges, and Hearing Officers in State Employment, addendum
16 dated August 30, 2007, effective January 1, 2008.

17 (b) Bargaining Unit 4: Service Employees International Union,
18 addendum dated December 20, 2007, effective January 1, 2008.

19 (c) Bargaining Unit 16: Union of American Physicians and
20 Dentists, addenda dated December 21, 2007 and January 3, 2008,
21 effective January 1, 2008.

22 (d) Bargaining Unit 17: Service Employees International Union,
23 addendum dated December 20, 2007, effective January 1, 2008.

24 (e) Bargaining Unit 19: American Federation of State, County
25 and Municipal Employees, addendum dated January 4, 2008,
26 effective January 1, 2008.

27 (f) Bargaining Unit 20: Service Employees International Union,
28 addenda dated December 20, 2007, effective January 1, 2008.

29 SEC. 4. The provisions of the addenda to memoranda of
30 understanding approved by Sections 2 and 3 of this act and that
31 require the expenditure of funds shall not take effect unless funds
32 for these provisions are specifically appropriated by the Legislature
33 or already exist within available appropriations. If the Legislature

1 does not approve or fully fund any addendum included in this act,
2 either party may reopen negotiations on all or part of the addendum.

3 SEC. 5. This act is an urgency statute necessary for the
4 immediate preservation of the public peace, health, or safety within
5 the meaning of Article IV of the Constitution and shall go into
6 immediate effect. The facts constituting the necessity are:

7 In order for the provisions of this act to be applicable as soon as
8 possible in the 2007–08 fiscal year, and thereby facilitate the
9 orderly administration of state government at the earliest possible
10 time, it is necessary that this act take effect immediately.